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EXTRAORDINARY

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प्राधिकार से प्रकाशित

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NEW DELHI, SATURDAY, DECEMBER 11, 2010/AGRAHAYANA 20, 1932

भारत निर्वाचन आयोग

अधिसूचना

नई दिल्ली, 1 दिसम्बर, 2010

आ.अ. 48(अ).—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में, भारत निर्वाचन आयोग, 2009 की निर्वाचन याचिका संख्या 2 में भारत के उच्चतम न्यायालय के दिनांक 6 सितंबर, 2010 के निर्णय को एतद्वारा प्रकाशित करता है।

## ELECTION COMMISSION OF INDIA

## NOTIFICATION

New Delhi, the 1st December, 2010

O.N. 48(E).—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission of India hereby publishes the judgment of the Supreme Court of India dated 6th September, 2010 in Election Petitions No. 2 of 2009.

## IN THE SUPREME COURT OF INDIA

## CIVIL APPELLATE JURISDICTION

## CIVIL APPEAL NO. 7079 OF 2010

(Appeal under Section 116A of Representation of the People Act, 1951 from the Judgment and Order dated 23rd day of July, 2009 of the High Court of Kerala at Ernakulam in Election Petition No. 2 of 2009).

P. A. Sekharan

...Appellant

Versus

P. K. Biju &amp; Ors.

...Contesting  
Respondents

(For full cause title please see Schedule 'A' attached herewith).

6th September, 2010

## CORAM:

HON'BLE MR. JUSTICE J. M. PANCHAL

HON'BLE MR. JUSTICE GYAN S. SUDHA MISRA

For the Appellant : Mr. Jogy Scaria, Advocate

The Appeal above-mentioned being called on for preliminary hearing before this Court on the 6th day of September, 2010; UPON perusing the record and hearing counsel for the appellant herein. THIS COURT DOTH ORDER, that the appeal above-mentioned be and is hereby dismissed;

AND THIS COURT DOTH FURTHER ORDER that this Order be punctually observed and carried into execution by all concerned;

WITNESS the Hon'ble Shri Sarosh Homi Kapadia, Chief Justice of India, at the Supreme Court, New Delhi dated this the 6th day of September, 2010.

NISHA BHARADWAJ, Additional Registrar

## IN THE SUPREME COURT OF INDIA

## CIVIL APPELLATE JURISDICTION

## CIVIL APPEAL NO. 7079 OF 2010

(Against the final impugned judgment and order dated 23-7-2010 passed by the High Court of Kerala at Ernakulam in Election Petition No. 2 of 2009).

**SCHEDULE 'A'****IN THE MATTER OF****POSITION OF PARTIES**

IN THE Court	IN THIS Court
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P. A. Sekharan  
S/o Apunni,  
Aged 65 year's  
Residing at Pandiyath House,  
P.O. Kyparamba,  
Puthur-680546,  
Kerala State.

**AND**

1. P. K. Biju, S/o C.K. Kuttappan  
Aged 34 years  
Parayamaparambil Veedu,  
Manjoor South P.O., Vaikom,  
Kottayam District  
Kerala State. Respondent No. 1 Respondent No. 1
2. Mr. N. K. Sudhir,  
Aged 44 years,  
S/o N. C. Kuttan,  
Kunnappilly House,  
Peramangalam P.O.  
Trissur District-680545,  
Kerala State. Respondent No. 2 Respondent No. 2
3. M. Bindu Teacher,  
Aged 35 years,  
"Anandalayam",  
Kanniyampuram,  
Ottappalam, Palakkad  
District  
Kerala State. Respondent No. 3 Respondent No. 3
4. Dr. G. Sudevan,  
Aged 61 years,  
DF8/129(TC-4/1780)  
Pandit's Colony,  
Kowdiar.  
Thiruvananthapuram  
Kerala State. Respondent No. 4 Respondent No. 4
5. K. Gopakrishnan,  
Aged 39 years,  
Thamarathukulambu  
House,  
Ambattuparambu  
Thathamangalam-678102  
Palakkad District  
Kerala State. Respondent No. 5 Respondent No. 5

6. Biju K. K.  
Aged 38 years,  
Manaparambil  
Veedu,  
Nadavarambu P.O.  
Irinjalakuda, Thrissur  
District,  
Kerala State. Respondent No. 6 Respondent No. 6
7. P. C. Biju,  
Aged 36 years,  
Panachamoottil  
House,  
Elipakulam,  
Kayamkulam,  
Alappuzha District  
Kerala State. Respondent No. 7 Respondent No. 7
8. C. K. Ramakrishnan  
Aged 43 years,  
Chathanthaga  
House,  
Kinassery P.O.  
Palakkad District  
Kerala State. Respondent No. 8 Respondent No. 8
9. K. K. Sudhir,  
Aged 44 years,  
Kallekkad Veedu,  
Kutanur P.O.  
Palakkad District  
Kerala State. Respondent No. 9 Respondent No. 9

**ALL CONTESTING RESPONDENTS****SUPREME COURT****CIVIL APPELLATE JURISDICTION****CIVIL APPEAL NO. 7079 OF 2010**

P. A. Sekharan ...Appellant

*Versus*

P. K. Biju &amp; Ors. ...Respondents

**HIGH COURT OF KERALA AT ERNAKULAM****(Election Petition No. 2 of 2009)****DECREE DISMISSING THE APPEAL****Dated this the 6th day of September, 2010**

Mr. Jogy Scaria,

Advocate on record for the Appellant

Sd/-

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(s). 7079 of 2010

P. A. Sekharan

...Appellant

*Versus*

P. K. Biju & Ors.

...Respondents

ORDER

The Civil Appeal is dismissed.

Sd/-

(J. M. PANCHAL, J.)

Sd/-

(GYAN SUDHA MISRA, J.)

New Delhi;

Dated September 6, 2010

[F. No. 82/KL-HP/C2/2009-2010]

By Order,

TAPAS KUMAR, Prl. Secy.